

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Case No. 3:14-cv-00175-LRH-WGC

**STIPULATION AND  
ORDER SETTING SCHEDULE FOR  
ANSWER TO SECOND  
CONSOLIDATED AMENDED  
COMPLAINT  
(FIRST REQUEST)**

1 WHEREAS, on March 13, 2019, the United States Court of Appeals for the Ninth Circuit  
2 filed a mandate (ECF No. 145) regarding the November 29, 2018 judgment of the United States Court of  
3 Appeals for the Ninth Circuit (ECF No. 141) that reversed this Court's order dismissing the Second  
4 Consolidated Amended Complaint for Violations of the Federal Securities Laws ("Amended Complaint")  
5 with prejudice (ECF No. 136) and remanded the matter to this Court;

6 WHEREAS, the parties intend to participate in a conference pursuant to Federal Rule of  
7 Civil Procedure 26(f) before May 2, 2019 and, thereafter, to prepare for submission to this Court a  
8 discovery plan and scheduling order with SPECIAL SCHEDULING REVIEW REQUESTED in  
9 accordance with LR 26-1;

10 WHEREAS, following the Ninth Circuit's decision, Defendants Scott A. Caldwell, Robert  
11 M. Buchan, Randy E. Buffington, and Stephen M. Jones ("Defendants") must file an Answer to the  
12 Amended Complaint, and propose to do so by May 2, 2019;

13 WHEREAS, counsel for the parties have conferred regarding the time for Defendants to  
14 file their Answer and Plaintiff does not object to Defendants' proposed deadline for the filing of their  
15 Answer;

16 WHEREAS, this Stipulation is entered into without prejudice to any position that the  
17 parties may take in this Action;

18 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiff  
19 and Defendants, by and through their respective counsel, and subject to the Court's approval, that:

20 Defendants will file an Answer to Plaintiff's Amended Complaint by May 2, 2019.  
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\* \* \*

IT IS SO ORDERED

DATED this 8th day of April, 2019.

  
THE HONORABLE LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE